

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 09/986,688

REMARKS

Applicant has amended the specification to correct minor typographical errors therein.

Applicant respectfully traverses the new rejections of claims 1, 2, 5, 6 and 9-12 under 35 U.S.C. § 103 as being unpatentable (obvious) over Armand (FR '884) in view of Skareen '846 (newly cited), and of claims 3, 4, 7 and 18 under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Armand in view of Skareen (newly cited), and further in view of Pickering (GB '205).

When considering the differences between the present invention and the cited prior art, it should first be taken into account that, as described in the opening portion of Applicant's specification, the object of the present invention is to provide a parking brake control lever system that provides integration between the control lever, having a releasing knob, and the interior equipment of an automobile, whereby the integration produces an enhancement in beauty of the interior equipment. The specification teaches at page 7, first full paragraph, in connection with the illustrated embodiments, that a small gap *g* is provided between the head of the grip 13 and an upper end wall of the recess 11, to which the grip 13 is opposed, the gap *g* being small enough to permit the movement of the control lever 10 without being interfered with in any way by the releasing knob 25.

The present invention provides this integration between the control lever and the interior equipment. For clarifying the underlying structure of the invention, claims 1 and 2 are amended to specify that a clearance is provided between the head end of the control lever and an end wall of the recess, which is opposed to the head end, the clearance being small enough to permit only

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movement of the control lever without being interfered with in any way by the end wall of the recess.

Thus, with such recited underlying structure, claim 1 requires the releasing knob (25), disposed on the control lever (10), to be positioned to face the open lateral face of the recess (11) (see the embodiments of Figs. 1-8 and 10-11), whereas claim 2 requires the knob (25) to be positioned to face the bottom surface of the recess (see the embodiment of Fig. 9). In amended claim 1, the term "only one lateral side" is changed to "a lateral side" so that this claim clearly covers the embodiment of Fig. 10 where the knob (25) is positioned to face rearwardly. According to these claimed structures, proper operation of the control lever (10), as well as its releasing knob (25), is assured, while improving the integration of the control lever (10) with respect to the interior equipment.

By contrast, in Armand, the knob 21 projects from the upper end of lever 10, thus necessitating a large space between the lever upper end and the opposed end wall of recess 16; consequently, the clearance is made accordingly large. Armand does not teach, or even remotely suggest, Applicant's claimed structure which creates only a small clearance (i.e., just large enough), leaving only a small clearance between the lever upper end and the opposed end wall, to permit relative movement of the lever 10 with respect to recess 16 for improving the integration of the lever with the surrounding structure and enhancing the beauty of the structure. Moreover, Armand does not teach, or even remotely suggest, Applicant's claimed special positioning of a releasing knob on the control lever in such an integrated combination of the lever and surrounding structure.

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The secondary references, Skareen and Pickering, do not relate to a structure where the lever head end is opposed to the receiving recess with a small clearance left therebetween, and, thus, do not compensate for the above-noted deficiencies in Armand.

Therefore, Applicant respectfully submits that the Examiner has not made out a *prima facie* case of obviousness to support the two rejections under 35 U.S.C. § 103(a), because, as noted above, the combined disclosures of these three references do not teach, or even remotely suggest, all of the elements recited in at least the independent claims 1 and 2. Furthermore, it is clear that, even if for some reason a person were to combine the teachings of the three references, there would not be produced the subject matter of either of the independent claims 1 and 2, or of the dependent claims 3-12.

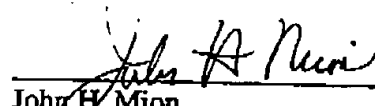
Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the two statutory rejections, and to find the application to be in condition for allowance with all of claims 1-12; however, if for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues, and to expedite the disposition of the application.

Applicant files concurrently herewith a Petition (with fee) for an Extension of Time of One Month. Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be

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charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,



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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: February 6, 2004